

With Beattie on Stand, Defense May Close Its Case To-Day

Brother Gamely Stands by Man Accused



DOUGLAS BEATTIE.

(Photo by W. W. Foster.)

BEATTIE READY TO PLEAD HIS CAUSE WITH JURY TO-DAY

Standing in Shadow of Death Charge Prisoner Will Give His Own Account of Midnight Murder.

BITTER HEART REVEALED BY DOUGLAS BEATTIE'S BLUNDER

Brother Frankly Declares on Stand That He Would Have Destroyed Evidence Had He Known That State Was Trying to Fasten Crime on One Whom He Believed to Be Innocent. White With Anger While Under Grill.

BY JOSEPH F. GEISINGER.

Before the twelve countrymen with whom the shaping of all his future hangs, Douglas Beattie, answering to the Chesterfield court upon the charge of murder, will to-day plead his own cause and tell his own story of the crime.

Unexpected developments turned, or threatened for a moment to turn, the tide of events into a new channel yesterday, and, to the keen disappointment of many who had traveled long distances to witness the much heralded climax of the trial, the prisoner did not take the stand. Freshly shaved, immaculately dressed, evidently keyed up for a vital effort, Beattie himself was ready, but his counsel were not. At a critical moment other wires began to work, and although they eventually brought forth little or nothing, precious time was hopelessly lost. As the hours dragged on by and Beattie still sat calmly within the bar, the crowd began to dwindle away. To them it was a dull day of disappointment, though it had produced one strong card for the defense and another of questionable value for either side.

Very Calm on Eve of Crisis.

As the trial proceeds towards its finish it somehow grows longer and longer. It seemed certain enough that the defense would rest its case before the eighth day was done, and that the last of the testimony would begin this morning. But the defense did not rest. In fact, only by much diligence can it do so to-day, and the rebuttal cannot come now until Monday. In all probability, therefore, the deliberations upon the verdict will not start before next Friday or Saturday.

Meanwhile a great impatience awaits the appearance of the chief actor. Standing in the shadow of the death chair, with the prospect spreading gloomily enough before him, Beattie will have no lack of hearers when he again breaks his long silence. It will be the supreme moment of all his days, and upon the issue between life and death may depend. But he will not go unchallenged as did his aged father. For two or three hours he will have things his own way, and then must face the dragnet of the opposite side. With its whole might the State will try to break him down. Cold and rather scornful, the youthful prisoner will probably be a match for all the lawyers, but there is still telling what may happen. In the eleventh hour, when nearly ready to leave the stand, Douglas Beattie tripped yesterday and let anger get the better of judgment, to the probable detriment of his brother's cause.

If the prisoner is seriously concerned over his future he does not show it in any marked degree. On the eve of his big fight he seemed in excellent spirits, and found in the day a good deal of comfort. Late in the afternoon neighbors came to render him such aid as they could. A number of girls of his dead wife braved the many eyes and went to court. Several of them sent the boy a hopeful, encouraging smile across the bar. He leaned back, chatting pleasantly with one. As she left the room after a spirit with the lawyers, Henry's aunt waved back to him, and he smiled. The prisoner's cell is now on the ground floor of the jail, and the picture machines are on the grounds, preparing to spread the scenes of the world.

Douglas Beattie on the Stand.

Very bluntly the prisoner's brother yesterday declared that had he known the real purpose of the detectives using him in gathering evidence during the early stages of the case he would have destroyed everything that came into his hands and as far as he could blocked the zealous sleuths.

Up to that moment Douglas Beattie had made a good witness, answering clearly and well such questions as were put to him and now again bringing out some point helpful to the prisoner's case. Then in an instant he went perilously near the danger line. Smarting under the thought that all unknowingly he had given aid to those who were steadily drawing the net around his brother, he suddenly put his anger and sorrow into words that cannot help and may seriously harm the man he was trying to save. It was a blunder of the head that revealed a bitter heart. Throughout the trial Douglas has won sympathy and respect by a uniform courtesy for every comer and a gentleness that even under the ordeal he was facing endeavored to make things as pleasant as possible for those around him. All the more for this did regret reach out to him yesterday. He simply lost his head. Perhaps it was a natural enough thing for a brother to resent what he judged a great wrong done his family. But, in the opinion of most of those who saw, he made a bad mistake.

Much had been said as to why Douglas, during the hours immediately following the murder, had caused one of the automobile seats to be washed and left the other clotted with blood. There appeared to be nothing particularly unreasonable in his explanation. The cross-examiner was pressing the witness closely, it is true, but the witness seemed equal to the occasion. Then it came—without any need whatever except to relieve the brother's tortured mind.

"I might as well say," he declared, "that I didn't know the machine would be seized, or I would have had the whole damned thing washed off that very evening."

Neither crowd nor lawyers grasped the meaning behind the words at first. "Not only that, but I would not have made any more trips out and helped them as I did."

Causes Something of Sensation.

Wendenburg was all attention now, snapping up the sentences as fast as they came and probing for more. The room grew very still. The crowd was straining forward, expecting a remarkable scene any moment. It seemed that the prisoner's very life trembled in the balance. Bitterly the witness went on, answering quickly at first, but later letting long and painful pauses come between his replies.

"In the light of what has happened," he said, "if I had known what was going to happen I would not have been out with all those people and given them the opportunity to look around. I would not have given Scherer the chance to come down here and say what he has said and got up all the stuff he has gotten up, one way or another, to convict my brother of a crime he did not commit."

"Why wouldn't you have given him that opportunity?" asked the lawyer. For a long time no word came. The witness was struggling desperately to command himself, but seemed unable to do so.

"What is the trouble about answering that question, Mr. Beattie?" The silence remained unbroken for almost a full moment.

"I just don't know how to answer it so that it will not be misconstrued."

Douglas finally said.

The court took a hand, with Mr. Wendenburg pressing his advantage closely and guardedly. The witness started to look toward his brother's counsel, but the lawyer was letting nothing escape him now.

"Look at the jury, Mr. Beattie," he said, sharply. "Don't look at counsel. Now is the time to look at the jury."

"Counsel is reading a letter," interjected Mr. Smith, without lifting his eyes from a paper he held in his hand.

"Now, since the trial has begun," answered Douglas, at last, "I realize that"

(Continued on Seventh Page.)

PROUD OF IT THEN, PROUD OF IT NOW; MARTIN'S REPLY

Exhausted Ingenuity in Letting Money From Railroads.

WID IT TO SAVE WHITE MAN'S RULE

Senior Senator Again Replies to Charges Made by Representative Jones That He Was Railroad Lobbyist—Offers to Resign if Opponent Can Prove His Assertion.

(Special From a Staff Correspondent.)
Leesburg, Va., September 1.—"If Jones can find any railroad I ever lobbied for I will resign my seat in the Senate," declared Senator Thomas S. Martin here this afternoon in offering his explanation of the three letters signed by him, and read by Representative William A. Jones, at Petersburg, last Tuesday night, the same one advanced for the first series of letters—"an earnest effort to keep the Democratic party in power and to maintain Anglo-Saxon supremacy." "There is nothing more in the three letters read at Petersburg by Mr. Jones, than in the others—the same answer applies to all," said Senator Martin. "Of these social and personal letters, one letter to Mr. Glasgow was purely social. The second letter, referring to my candidacy for the Senate, was a legitimate political letter, asking that my friend be sent to the Legislature. The third, referring to Messrs. Flood and Parrish, was another instance of my work for the maintenance of Democracy and white supremacy. I do not recall the incident, but I know that it was simply another case in which I was asked to get aid to enable the defeat of Republican or carpetbag candidates, because both the opposing candidates mentioned in this letter were of that class. I exhausted my ingenuity in getting the railroads to put up money for the Democratic cause."

In one of the first batch of letters produced by Jones, there is the only letter addressed to me by J. S. B. Thompson. In it the sum of \$500 is referred to. I often get more than that from railroad presidents. Five hundred dollars was a mere bagatelle to what I got. I raised thousands for the salvation of the Democratic party. "What was there in these letters to impeach me? They were written during a crisis in the Democratic party. In forty counties the negroes has a majority, some of them were school trustees. I worked on several executive committees to get money to secure the rule of the white man and the permanence of Anglo-Saxon civilization. Through a long period the same necessities and conditions confronted us. I solicited from railroad corporations, all corporations, the rich man and the poor man, in order to save the Democratic party. I did not expect to be a candidate for any office. It was a disinterested and patriotic service. I was proud of it then; I am proud of it now."

"Do you suppose I said to the railroad when asking for money for the Democratic party in its hour of distress, 'You evil monopolies, well I say you. A tale of that sort would have gotten no money. I had to see railroad presidents because of appeals from Jones's district, and everybody's else. I said to the railroads, 'Look here, you are the guardians and trustees of stockholders, you have a duty to them. Republican administration will hurt you; the Democrats have treated you justly and fairly, and it is my opinion that they will continue to do so.' I thought the railroads ought to be treated fairly and squarely, and so did Taylor Ellison. Always, and never in any other way than for the Democratic party, I exerted my efforts. Some of the purest and best men in Virginia were named in these letters—Major Myers, General Hill and others. This fact alone ought to convince anybody that there was nothing wrong about this correspondence."

"I believed the Democratic party would deal justly with the railroads in giving them fair taxation. It did it—it ought to have done it."

Gets Roor of Applause.
Although Senator Martin did not refer to the letters until near the end of his speech, he spoke with tremendous emphasis. When he began to comment on these documents the 63 men of Loudoun, who filled the other house, showed by their eagerness that they understood the importance of Senator Martin's explanation, and a roar of applause greeted him when he had concluded.

In the earlier part of his speech, Senator Martin reviewed his record in the Senate very much along the line of his Richmond speech. He said that it was his resolution that was passed in the Lorimer case, despite the lack of a Democratic majority in the Senate. He also said that he would never vote for a ship subsidy.

"I have never dodged a vote, I will take my medicine. I have made mistakes; but I believe that my constituents will use charity and understanding toward me. Do you expect to get a Senator who won't make mistakes?"

In the all-important reciprocity agreement, Jones dodged," said Senator Martin. "He got his hat and" (Continued on Second Page.)

JEERED BY CROWD AVIATOR GOES UP AND LOSES LIFE

John J. Frisbie Killed in Fall at Kansas Fair.

MADE TRIP IN AIR AGAINST HIS WILL

Crushed to Death Under Machine After Fall of About 100 Feet. Widow Bitterly Denounces Action of Spectators in Forcing Flight With Disabled Aeroplane.

Norton, Kansas, September 1.—John J. Frisbie, the Curtiss aviator, was killed to-day by a fall at the Norton County Fair. Frisbie met with an accident, and went into the air to-day only when driven into it by the taunts and jeers of the crowd. Frisbie fell about 100 feet, and the engine of his machine fell upon him, crushing his left side and chest. He lingered for about an hour before he died.

Frisbie has been giving exhibitions at Elmwood Park for several days. Yesterday his machine acted badly, and he had a fall of about forty feet, and beyond bruises and a shakeup was not injured. He was skeptical about the ability of his machine to stand another flight to-day, and announced he would not take the air this afternoon, but when this statement was communicated to the crowd, there was an angry demonstration. The spectators hooted and shouted "faster," and refused to listen to explanations.

Attempts Flight.
Mr. Frisbie announced that rather than have the big crowd go away with the impression that he was not willing to do his best, he would attempt a flight. He ascended from the track without difficulty, and attained a height of 100 feet, but in attempting to make a turn the plane tipped, and Frisbie lost control.

As he came crashing to earth the spectators could see the aviator trying to right the machine, but as it approached the ground, one of the wings crashed into a barn, and the plane, glancing off, struck the earth, with Frisbie underneath. Physicians who hurried to the aviator's assistance expressed the opinion at once that his injuries were fatal. Frisbie's wife, son and little girl were witnesses of the accident, and Mrs. Frisbie was prostrated when she saw her husband fall. To-night she bitterly denounced the action of the spectators in forcing her husband to make the flight with a disabled machine.

Frisbie was well known among the aviators, having flown at Belmont Park. He was a participant in the recent big meet in Chicago.

John J. Frisbie came to Richmond with the International Aviators in November, 1910, but he did practically no flying, due to the fact that his plane was not in good shape. He was here with John E. Moisant, who was killed last in Orleans, La. Frisbie, a tall, thin man, who performed at the State Fair last October, fell to his death in Denver.

Popular at Chicago.

Chicago, September 1.—John J. Frisbie, who was killed by a fall at Norton, Kansas, to-day, was one of the reliable aviators at the recent international aviation meet here. Although he made no efforts at spectacular flying, his plane was in the line of popular with the spectators. He won the Bell throwing contest, taking a \$1,000 prize, and the quick starting contest, making his prize money for the meet \$1,500.

Frisbie was an Irishman, forty-two years old, and had spent twenty-six years as a balloonist and a parachute jumper in Europe.

Amateur Seriously Injured.

Minneapolis, N. Y., September 1.—James Lester Weeks, a young amateur aviator, was seriously injured in a fall with his plane on the aviation field here late to-day. He had just started his flight and reached an altitude of 150 feet, when the motor went dead and the plane dropped. Weeks was found unconscious and bleeding at the nose and mouth, and at the hospital, where he was taken, fear swere expressed that he had sustained internal injuries.

Flight by Fourny.

Buc, France, September 1.—Aviator Fourny, while trying for the Deutsch long distance cup to-day, made a flight of 720 kilometres (447 miles) in nine hours and eighteen minutes.

Despondent Man Ends Life.

St. Paul, Ky., September 1.—Hiding for five years the fact that he had a wooden leg, and despondent when discovery of the fact led to his discharge by the railway company for which he had worked at that time, Louis N. Bagby, twenty-eight years old, shot and instantly killed himself to-day.

Plead for Boy's Life.

Madison, Wis., September 1.—Believing that the hanging of a fifteen-year-old boy does not mean the ends of justice, citizens of Madison in large numbers to-day signed petitions directed to Governor Donaghey, of Arkansas, asking that he use executive clemency for Earl Glick, who killed another boy in a street fight.

RAILROAD REJECTS DEMANDS OF MEN

Union Pacific Refuses to Recognize Federation of Shop Employees.

MAY RESULT IN STRIKE

Further Conferences Probable in Efforts to Reach Agreement.

San Francisco, Cal., September 1.—The Southern Pacific Railroad Company, through Julius Kruttschnitt, vice-president and director of maintenance and operation of the Harriman lines, absolutely rejected a demand for recognition of the Federation of Shop Employees, comprising five shop craft unions and 25,000 men.

That such recognition, with its implications, would hamper the company in performing its duty to the public was the position taken by its officials. Union leaders asked for it on grounds of economy and expedition, and admittedly because of a feeling that greater centralization of capital and power made corresponding centralization among various unions desirable. The unions involved had asked their general officers for permission to strike in the event of the refusal to grant recognition of the federation.

A conference lasting over three hours was terminated by Mr. Kruttschnitt's final answer and following it the union representatives, sober faced, went into session by themselves, to consider the strike vote, which they may accept as binding or may reject, refusing to sanction a strike.

Following the conference Mr. Kruttschnitt issued the following statement: "In the conference the question of the benefits to accrue to both the company and the men from a federation were fully presented by the union officials, and the officers of the railroad company explained at length the embarrassment that the company would experience in performing its public functions if hampered by a committee vested with sufficient power to control or partially control its organizations."

Recognition Impossible.

A railroad official to-night said authoritatively that there was no change in Mr. Kruttschnitt's position; that the recognition of the federation would be impossible.

"We have not refused to see the men further, however," said this official. "We are still prepared to grant any requests for a conference, though our position is fixed."

Union leaders have made no secret of their anxiety to avert a strike if it can be done, and means to that end were canvassed freely in their meeting to-night.

"Our meeting with Mr. Kruttschnitt" (Continued on Second Page.)

CHANGES MADE TO MEET OBJECTIONS

Favorable Consideration of Central Bureau Plan Is Recommended.

CONSIDERED BY BANKERS

Regarded as Valuable in Safeguarding Against Forgeries and Should Have Trial.

New York, September 1.—Changes to meet objections of bankers to certain features of the new central bureau plan for the registry of export cotton bills, were made in the plan to-day at a conference of the members of the bill of lading committee of the American Bankers' Association. With these changes effected, the committee recommended that the plan for the establishment of a central bureau here be given favorable consideration by the exchange—buying banks of the country. In a statement issued to-night Thomas B. Patton, general counsel of the American Bankers' Association, enumerated the objections that had been made to the plan, and explained the manner in which the committee had met them. The statement said:

"At its meeting held in Nashville May 2, 1911, this committee approved the general principle of the plan submitted in the report of the subcommittee for the validation of cotton bills, including the establishment of a central bureau in New York City, with the understanding that the details of such plan would be subsequently worked out and considered before giving final approval and recommendation of said plan."

"It subsequently developed that while the plan for validation had the universal approval of the banks of the country, the proposition for a central bureau met with the objection by certain of the Southern banks and cotton interests."

"At to-day's meeting of the committee, the Southern bankers were represented by Mr. Godchaux, of New Orleans, and Mr. Haigh, representing the Liverpool cotton conference."

"Full consideration was given to all the objections, and upon close analysis they were found to be based upon the following grounds:

Grounds of Objections.

First. That the plan would give certain advantage to exchange buyers in New York City by reason of the fact that the central bureau would be there located."

"Second. That the plan in its operation would prevent the ready acceptance and payment of drafts drawn against cotton shipments."

"Third. That under the plan the foreign buyer would not properly discriminate in the selection of his agents."

"Fourth. That the plan of notification" (Continued on Second Page.)

FINALLY ROUTS "ENTIRE BUNCH"

Congressman Carter Creates Sensation by Assaulting Four Clerks.

USES HIS FISTS AND CANE

Declares Daughter Was Insulted While on Shopping Expedition.

Washington, D. C., September 1.—Representative Charles D. Carter, of Oklahoma, created a sensation in the heart of the smart shopping centre here to-day by assaulting four clerks, one of whom he alleged insulted his eighteen-year-old daughter, Miss Italy Carter, who was with her father on a shopping expedition.

Having dealt summarily with the four clerks, Representative Carter, who is seven-sixteenths Indian, sent his daughter home in an automobile, and proceeded to the nearest police station, where he explained the incident which led up to the trouble. He was not detained, and considers the incident closed, unless the four clerks demand an investigation.

Representative Carter assailed the first clerk, Joseph Josephson, with his fists, and when three of the young men's companions came to their friend's aid, the Oklahoma Congressman brought his walking stick into play and yielded it vigorously until he was master of the field.

According to Mr. Carter, his daughter described to Josephson a certain kind of coat which she wished to purchase. He declares the clerk thought Miss Carter was unattended and sought to engage her in conversation.

Associates Take Up Fight.
"Continuing his advances, which were followed by repulses," said Mr. Carter, "the young man became insulting. When I politely asked the clerk the cause of the trouble, he became infuriated, and said uncomplimentary things about my daughter. I told her to accompany me from the store, and as we reached the door he called me several names. I returned and prepared to strike him, when he started toward me. I then gave him as good licking as my long experience on the plains as a boxer would permit. I then started to leave, when three of his associates took up the fight. I was plainly outnumbered, but would not run. I struck right and left with my cane, and finally routed the entire bunch."

The fight was brief, but exciting, and the clerks were vanquished. Meanwhile Miss Carter stood in tears on the sidewalk outside the store until her father reached her side and took her from the scene.